

Remarks

This Response is in reply to the Office Action dated **June 5, 2007**.

In the Office Action, the Office rejected claims 38 – 41 and 43 – 55 under 35 U.S.C. § 103(a), alleging the same to be unpatentable over U.S. Patent No. 5,911,732 to Hojeibane (hereafter “Hojeibane”).

The following comments are presented in the same order and with headings corresponding to the headings in the Office Action.

Claim Rejections—35 U.S.C. § 103

Claims 38 – 45 and 54 – 55

The Office rejected claims 38 – 41 and 43 – 55 under 35 U.S.C. § 103(a), alleging the same to be unpatentable over Hojeibane. Applicant respectfully disagrees.

The Office argued that it would have been obvious to form stent 270 of Hojeibane with the connectors 5 having lengths greater than the stents 271, 272. In support of this argument, the Examiner directed Applicants to the Hojeibane specification. The Office stated, “Hojeibane discloses that the coiled sections can be varied to increase flexibility.” Applicants respectfully assert that this is not disclosed in the Hojeibane specification.

Specifically, the Hojeibane specification at column 7, lines 34 – 41, states the following:

These spiral connectors are able to be formed such that they may be **either linear or wave-like in shape**. The **final shape** of this connector will depend primarily upon the desire of the user to have greater or lesser flexibility in the area of the articulation between the stents as the spiral connector. [Emphasis added]

Hojeibane teaches that the connectors 5 can have two shapes: **linear or wave-like**. The final shape chosen, from those two alternatives—linear or wave-like, affects the overall flexibility. There is no teaching or suggestion in Hojeibane that “each of the at least one coil segment extending along a greater longitudinal distance than each of the at least one serpentine segments”, as recited in instant claim 38. Hojeibane is completely silent with regards to the

length of the coil segment in relation to any serpentine segments it may have. Also, the length of the coil segment is a dimension, not a shape. Therefore, Hojeibane fails to teach or suggest all the elements of claim 38.

Claims 39 – 45 include the subject matter of independent claim 38 and add additional subject matter, making them all the more patentable over Hojeibane. Therefore, Applicants request that claims 38 – 45 be allowed.

Claims 46 – 53

As argued above, Hojeibane teaches that the connectors 5 can have two shapes: **linear or wave-like**. The final shape chosen, from those two alternatives—linear or wave-like, affects the overall flexibility. There is no teaching or suggestion in Hojeibane to create a stent with a “coil segment being longer than the tubular serpentine segment in a longitudinal direction,” as recited in instant claim 46. Hojeibane is completely silent with regards to the length of the coil segment in relation to any serpentine segments it may have. Also, the length of the coil segment is a dimension, not a shape. Therefore, Hojeibane fails to teach or suggest all the elements of claim 46.

Claims 47 – 53 include the subject matter of independent claim 46 and add additional subject matter, making them all the more patentable over Hojeibane. Therefore, Applicants request that claims 46 – 53 be allowed.

Conclusion

For at least the reasons presented above, Applicants believe that the application is in condition for allowance. Favorable consideration and early action to that effect would be greatly appreciated.

Should the Examiner have any questions regarding this response, the Examiner is invited to contact the Applicants' undersigned representative.

Respectfully submitted,

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